

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DAVID MCGLYNN,

Plaintiff,

v.

Case No: 6:23-cv-531-PGB-LHP

EL SOL MEDIA NETWORK INC and
DOES 1 THROUGH 10 INCLUSIVE,

Defendants

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: REQUEST FOR ENTRY OF CERTIFICATE OF
DEFAULT (Doc. No. 13)**

FILED: June 6, 2023

**THEREON it is ORDERED that the motion is DENIED without
prejudice.**

Plaintiff moves for Clerk's default against Defendant El Sol Media Network Inc, contending that Defendant was served with the summons and complaint on April 11, 2023, and has failed to appear in this matter or otherwise defend. Doc.

No. 13. *See also* Doc. No. 8. Upon review, however, the motion fails to include a memorandum of legal authority as required by Local Rule 3.01(a). Doc. No. 13. Relatedly, the motion fails to establish with citation to legal authority that service of process on Defendant was proper. *See generally United States v. Donald*, No. 3:09-cv-147-J-32HTS, 2009 WL 1810357, at *1 (M.D. Fla. June 24, 2009) (before a Clerk's default can be entered against a defendant, the Court must determine that the defendant was properly served).

Accordingly, Plaintiff's Motion (Doc. No. 13) is **DENIED without prejudice**. A renewed motion, which shall be filed on or before **June 21, 2023**, must include a memorandum of legal authority and establish that service of process was proper under applicable law.

DONE and ORDERED in Orlando, Florida on June 7, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties